

**Little Traverse Bay Bands of Odawa Indians**  
**Tribal Council Meeting**  
**May 18, 1997**  
**9:00 a.m.**

**Closed Session:** A closed session was conducted.

**Called To Order:** Meeting was called to order at 10:38 a.m.

**Opening Ceremony:** Opening ceremony was conducted by Barry Laughlin.

**Council Present:** George Anthony, Janet Shomin, Alice Yellowbank, Frank Ettawageshik, Barry Laughlin, Patti Dyer-Deckrow

**Council Absent:** Shirley Oldman

**Staff Present:** Susan Keller

**Guests Present:** See attached list.

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**AGENDA:**

The agenda was amended.

**Motion** was made by **Patti Dyer-Deckrow** and was **Seconded** by **Alice Yellowbank** to approve agenda as amended.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

**BILLS:**

It was stated that the confidential details of the legal bills will be kept in the Chairman's office. The summary of the bills will be kept in the Accounting office.

On June 22, 1997, at 7:30 a.m. Patti Dyer-Deckrow, Alice Yellowbank, and Shirley Oldman have requested to review the legal historical archives that is used for telephone conferences. Chairman Ettawageshik will assure that they have entry on this date to those files.

George Anthony questioned the Tribal Planner's report on the upcoming Environmental Protection Agency meeting that is being hosted by LTBB at the NRC building. George Anthony stated that the NRC department needs to be kept informed of the meetings that are being held at their location.

The Tribal Planner has requested some funds to come from Development to host this meeting.

**Council Arrives:** Shirley Oldman arrived at 11:00 a.m.

**Motion** was made by **Janet Shomin** and was **Seconded** by **Alice Yellowbank** to approve the bills as presented.

**Vote:** 6 YES      1 George Anthony NO 0 ABSTAINED      **Motion Carried**

**MINUTES:**

The May 4<sup>th</sup>, 1997 minutes were reviewed and corrected.

**Motion** was made by **Janet Shomin** and was **Seconded** by **Barry Laughlin** to approve the minutes of May 4, 1997 as amended.

**Vote:** 6 YES      0 NO      1 (Shirley Oldman) ABSTAINED      **Motion Carried**

**Public Comment:** Tribal members Marie and Richard Simmons posed questions to Council regarding health benefits. They were told that if they come into the service area they could receive services. Council directed the members to contact Linda Gokee in LTBB Health Center. Public comment closed at 12:15 p.m.

**Tribal Chairman & Tribal Administrator's Report**

Chairman Ettawageshik gave a verbal overview of his written report. A possible meeting in the next three weeks with the Secretary of Interior is being discussed between the four Tribal Chairman. There still may be some action in the State Legislature by June 15, 1997 in regards to the compact.

The closing date for the Tribal Administrator's position will be June 6, 1997. This is two weeks from the date of publication in News from Indian Country.

### **Tribal Council Training at Grand Traverse Band**

Chairman Ettawageshik is working with the Grand Traverse Band for a three day Tribal Council training to be held in Traverse City. He will bring more information on this to the next Tribal Council meeting.

### **Criminal Code**

The need for a criminal code to be adopted was introduced by Bruce Hinmon, LTBB Tribal Court Administrator. A suggestion has been made to use the Grand Traverse Band's code which was worked on by our Tribal Prosecutor, Patrick Shannon. Jim Bransky will review the GTB criminal code and a suggestion was made to place this on the Tribal Council Legislative Calendar.

Chairman Ettawageshik informed Council that the budget binder he presented to them contains reports from Francis Killer & Associates and noted where they could be located.

### **Workshops**

Chairman Ettawageshik went over the upcoming workshops including the Peacemaker's Conference on June 9, 1997, which Council would like Denneen Smith to attend. Bruce Hinmon, Janet Shomin Alice Yellowbank, Frank Ettawageshik, and Barry Laughlin may also attend this training.

**Motion** was made by **Alice Yellowbank** and was **Seconded** by **Shirley Oldman** to authorize all Tribal Council members to attend the Peacemaker's Conference in Traverse City.

**Vote:** 7 YES

0 NO

0 ABSTAINED

**Motion Carried**

### **H.R. 1604**

Chairman Ettawageshik informed Council that the Judgment fund bill was introduced by Congressman Kildee.

### **Garden & High Islands**

There will be a meeting regarding Garden and High Islands involving the State of Michigan and Department of Natural Resources regarding this area being a quiet area status. The people on Beaver Island turned down this proposal. The State of Michigan has formed a committee of Beaver Island residents who want this status. A meeting will be held on June 3, 1997 at 5:00 in the community hall on Beaver Island to approve or not approve this status. George Anthony is requesting that representatives from the Tribe and Mariana Shulstead be present to handle any potential intervention. Garden & High Islands are the two reservation islands of the 1855 treaty. It was also recommended that Wes Andrews attend.

**Motion** was made by **Patti Dyer-Deckrow** and was **Seconded** by **Janet Shomin** to pay travel expenses for Wes Andrews, (Development) George Anthony, (Tribal Council) Mariana Shulstead, (Development) and Frank Ettawageshik (Tribal Council) to attend a public meeting held by the DNR with the State of Michigan regarding quiet area status for Garden & High Islands with funds to come from Tribal Council and Development.

**Vote:** 7 YES

0 NO

0 ABSTAINED

**Motion Carried**

### **Blackbird Museum**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Patti Dyer-Deckrow** to authorize the Blackbird Museum to conduct a Pow Wow on Osborne Road property on September 12, 13, and 14<sup>th</sup>.

**Vote:** 7 YES

0 NO

0 ABSTAINED

**Motion Carried**

**Recess:** Recess was called at 1:13 p.m. Meeting was called back to order at 1:49 p.m.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to accept the combined Tribal Chairman and Tribal Administrator's verbal and written report.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

### **Election Board**

A meeting was held on May 15, 1997 with Deleta Smith, Marilyn Williams, Carol McFall, and Angela Woodin. Carol McFall is the Secretary of the Election Board, and Angela Woodin is Chairperson. The Election Board Budget was discussed as well as a brief report given on progress of the Election Board thus far.

**Motion** was made by **Janet Shomin** and was **Seconded** by **George Anthony** to accept the Election Board report.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Patti Dyer-Deckrow** to add Election Statute to the Legislative agenda.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** to take up this legislative item as emergency legislation in accordance with Section 4b of the Legislative Procedures Act.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

Jim Bransky gave an overview of the Election Statute, and it was reviewed and amended.

**Motion** was made by **Janet Shomin** and was **Seconded** by **Alice Yellowbank** to adopt Waganaksing Odawak Statute 1997006 as amended for Election Statute.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

### **Holy Childhood Renovation Policy**

The excavation of the Holy Childhood property is scheduled for June 16, 1997 to July 1, 1997. Wes Andrews will be on hand to watch over all aspects of this operation. Wes introduced a policy to Council for approval regarding the guidelines regarding the excavation.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to adopt the Policy Statement and guidelines regarding the excavation of the new and old foundation of the Holy Childhood of Jesus Church, Harbor Springs, Michigan, Version 15, May 1997.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Janet Shomin** and was **Seconded** by **Patti Dyer-Deckrow** to accept Wes Andrews written and verbal report.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

### **NAGPRA Policy**

Wes Andrews introduced to Tribal Council the revised treatment policy in regards to how we want museums to handle our remains and artifacts that are stored in their buildings. He gave a brief overview, noting the changes he had made to the treatment policy.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to adopt the Treatment Policy for the Care and Handling of Human Remains, Funerary Objects, Images, Objects of Cultural Patrimony and Sacred Objects, Associated with the Waganakising Odawak

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

## **Pow Wow Storage**

The line item for the Hoop Dancer and storage shed for Pow Wow equipment was discussed. Revisions to the Pow Wow budget were discussed by Council.

**Council Departs:** Patti Dyer-Deckrow departed at 4:20 p.m.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Janet Shomin** to create a \$1000.00 line item for Pow Wow storage in the Pow Wow budget, and to increase the Personnel line item by \$100.00 for the Hoop Dancer, with storage building to be constructed at the US31 North address

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Janet Shomin** and was **Seconded** by **George Anthony** to accept the verbal Pow Wow report.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

## **Head Start Resolution**

**Motion** was made by **Shirley Oldman** and was **Seconded** by **Barry Laughlin** in support of **Resolution #051809701** in support of Head Start Program.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

## **Child Protection Grant**

Arlene Naganashe, Health Director, gave an overview of a grant available for Child Protection and & Child Abuse Protection Demonstration Grant up to five years. The proposal contained in the first year hiring an MSW Outreach Prevention Worker. Arlene detailed the proposed outcomes of this grant. The Human Services would supervise this program. The Health Director is requesting a resolution of support adopting this Child Protection Demonstration Grant.

**Motion** was made by **Janet Shomin** and was **Seconded** by **Shirley Oldman** to adopt **Resolution #05189702** in support of the Child Protection Demonstration Grant with a budget of a total of \$150,000.00, authorizing Arlene Naganashe and Frank Ettawageshik to sign the documents necessary for the proposal.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

Written commissions procedure report was submitted by Janet Shomin.

**Motion** was made by **Janet Shomin** and was **Seconded** by **George Anthony** to table the Commissions Procedure.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** to table Tribal Council Procedure Manual.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Comments:** George Anthony and Alice Yellowbank initially identified areas that need to be worked on.

**Council Departs:** Shirley Oldman departed at 5:22 p.m.

**Council Departs:** Janet Shomin departed at 5:40 p.m.

## **97-638 Budget**

### **Housing**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to change the job classification from Secretary Level 1 to Secretary Level 2 from this date forward for the Housing Assistant.

**Vote:** 4 YES      0 NO      0 ABSTAINED      **Motion Carried**

### **Enrollment**

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to correct the Enrollment Officer's job description salary range to the correct level of \$27,454.24 to \$38003.11.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

#### **Law Enforcement**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to change the job classification and job description in the Law Enforcement Budget from Secretary Level I to Secretary Level II \$14,560.00 to \$16,640.00.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

#### **Probation Officer**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to create a line item on the wage gfrid for Probation Officer at the same pay level of Deputy Police/Conservation Office \$26,000.00 to \$36,067.57.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to change the job classification from Counselor to Probation Officer and salary range to \$26,000.00 to \$36,067.57 effective May 25, 1997.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Comments:** Qualifications on the job description need to be added.

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to make the Housing Assistant's job classification of Secretary Level I to Secretary Level II effective May 25, 1997, this supersedes previous motion at this meeting.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to adopt 97-638 BIA Budget as presented and amended on May 18, 1997 as an interim 97 budget.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to table the Hiring Plan.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** to table Personnel Policies.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to table the Enrollment Procedure.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to table Cell Phone Policy.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to accept the newsletter as amended.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** to table the Cell phone request from Education Department.

**Vote:** 4 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

#### **Constitution**

A general membership mailing for notification of the completed Constitution to the Tribal membership should occur sometime in early July.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to table the Constitution.

**Vote:** 4 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Comments:** George Anthony read statement by Patti Dyer-Deckrow

**Public Comment:** Public comment opened and closed at 6:40 p.m. No public comment was issued.

#### **Attorney**

The Criminal Code from Grand Traverse Band was discussed.

**Motion** was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** to add the Criminal Code to the Legislative Calendar.

**Vote:** 4 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to go into closed session at 6:41 p.m.

**Vote:** 4 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Open Session:** Open session resumed at 6:45 p.m..

**Motion** was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to adjourn tribal council meeting at 6:46 p.m.

**Vote:** 4 YES      0 NO      0 ABSTAINED      **Motion Carried**

**These minutes have been read and approved as written:**

\_\_\_\_\_  
**Barry Laughlin, Tribal Council Secretary**

\_\_\_\_\_  
**Date**

## CLOSED SESSION

Background investigation came back. Chairman Ettawageshik gave an overview of a verbal report that will be dispersed to Council. API report is available for review by Council.

**Motion** was made by **George Anthony** and was **Seconded** by Alice Yellowbank to table Closed Session meeting minutes because of late evening.

**Vote:** 4 YES

0 NO

0 ABSTAINED

**Motion Carried**